

ER 0-9834

Executive

3 April 1950

Legal Staff

Approval of Advertising Charges

1. It appears that the British Broadcasting Corporation ran advertisements in various English newspapers in our behalf and are now seeking reimbursement for the expenses which they have already paid.

2. At the time the advertising was ordered - January 1949 - the Agency was not entitled to any of the exceptions provided in P.L. 110, and was subject to the general requirements of U. S. Government regulations and statutes. General Regulations No. 109, 20 December 1946, provide in section 5(a) that delegation of authority to advertise may be exercised only by heads of departments, although the Comptroller General indicated in an opinion found in 28 Comp. Gen. 305 that the subordinate official to whom such basic authority is delegated may assign to others the administrative duties necessary to accomplish the advertising authorized.

3. The DCI delegated the authority to advertise to Chiefs of Foreign Broadcast Information Branches outside the continental limits of the United States under letter dated 1 January 1948. Although the authority is not redelegable, the present case is one of principal and agent. From the facts presented in the file it would appear that FBIS could be held legally liable on the obligation to the newspapers and BBC entitled to reimbursement. Provided proof of publication, or an affidavit in lieu thereof, is submitted to conform to the requirements of General Regulations No. 109, we see no objection to payment in London without further authorization above that of the Chief of Branch.

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cc: Subject  
Chrono

*Legal Decisions*

*att: background file*

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25 YEAR RE-REVIEW